

REMARKS

Reconsideration of the present application as amended is requested. In the third Office Action, prosecution was reopened after the examiner admitted that Applicant's Brief on Appeal was persuasive, and therefore, the rejection of Claims 11-19 and 21-25 for alleged obviousness over Kato in view of Parulski et al. was withdrawn.

Claim 25 has been amended to correct the dependency thereof from Claim 1 to Claim 21.

In the third Office Action, Claims 11-14, 16-18 and 21-24 have been rejected for alleged obviousness over Kato in view of Parulski et al., and further in view of Kho. The examiner admits that the combination of Kato and Parulski et al. does not teach that the conversion of still images to the motion video sequence is performed with firmware. (Third Office Action, page 6, lines 15-16.) However, the examiner alleges that it is well-known in the art that firmware and software are equally capable of implementing a function, citing column 2, lines 37-38 of Kho. This rejection is respectfully traversed.

Applicant contends that it would not be obvious to combine Kato and Parulski et al. in the manner proposed by the examiner, and that the additional reliance by the examiner upon Kho does nothing to cure the deficiency of the examiner's combination of Kato and Parulski et al.

The examiner admits that Kato does not teach the generation of high resolution still images or the selective generation of high resolution still images or low resolution still images. (Third Office Action, page 6, lines 1-2.) Parulski et al. has a parallel *hardware* architecture that offers two alternative paths for recording still and motion image sequences, and thus, is no more pertinent than the admitted prior art illustrated in Figs. 3 and 4 of Applicant's disclosure. Most of the disclosure of Parulski et al. is concerned with the special architecture of an image sensor that allows for different image aspect ratios to be provided for motion and still modes. Parulski et al. utilizes an image sensor with column selective "charge clearing" structures and column selective "charge parking" structures in order to allow the motion mode of operation to generate low-resolution NTSC images or frames and to allow

the high-resolution mode to generate high resolution still images at low frame rates. Parulski et al., therefore, requires special circuitry to interface with the image sensor for controlling the column selective charge clearing and column selective charge parking structures to derive the high resolution still images and low resolution NTSC images (frames). One of ordinary skill in the art of electronic camera design would not be motivated to attempt to modify Kato to incorporate the still image mode operation of Parulski et al. because the image sensor of Kato does not have the column selective charge clearing and column selective charge parking structures of the image sensor of Parulski et al. required for enabling the high resolution mode of Parulski et al.

Kho is a non-analogous prior art since it deals with networked computer systems. Accordingly, one seeking to design an improved method that selectively generates still or motion images with a digital camera or an improved digital camera for accomplishing the same, would not look to Kho for suggestions.

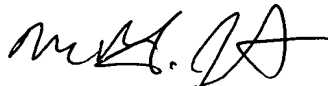
For the forgoing reasons, withdrawal of the obviousness rejection of Claims 11-14, 16-18 and 21-24 over Kato in view of Parulski et al., and further in view of Kho, is requested.

Claims 15 and 19 have been rejected for alleged obviousness over Kato in view of Parulski et al., in view of Kho and further in view of Nanba. Withdrawal of the obviousness rejections of these two dependent claims is requested for the same reasons explained above.

The present application is believed to be in condition for allowance and notification to this effect is solicited.

No additional fee is required at this time. However, the Commissioner is hereby authorized to charge any additional fees, or credit any overpayment, to Deposit Account 08-2025.

Respectfully submitted,

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